

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN CALIFORNIA WATER COMPANY (U 133-W), for an order authorizing it to increase rates for water service by \$19,826,100 or 29.72% in the year 2003; by \$6,327,800 or 7.31% in the year 2004; and by \$6,326,200 or 6.81% in the year 2005 in its Region III Service Area and increased rates for the General Office Allocation in all of its Customer Service Areas in this Application including: Arden-Cordova, Bay Point, Clearlake, Los Osos, Ojai, Santa Maria, Simi Valley and Metropolitan.

Application 02-11-007
(Filed November 4, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
DENYING SOUTHERN CALIFORNIA WATER COMPANY'S REQUEST FOR A
SIXTY-DAY CONTINUANCE OF THE PROCEDURAL SCHEDULE**

Summary

Southern California Water Company's (SCWC) request for a sixty-day continuance of the procedural schedule adversely affects the schedules of other parties and is denied. Settlements and stipulations can be accomplished in a reasonable timeframe under the Commission's Rules of Practice and Procedure.

Discussion

On April 16, 2003, SCWC requested a sixty-day continuance of all scheduled dates (except the public participation hearings) for this proceeding. The reason for SCWC's request is that both the City of San Dimas and the City of

Claremont (Cities) have asked SCWC to allow them more time to analyze the issues in this case, and to discuss the issues. SCWC would like to both give the Cities more time and to work with the Cities to see if any of their issues can be resolved in a satisfactory manner. SCWC notes that the City of San Dimas recently asked for more time to analyze this case in its April 7, 2003 direct testimony of Kenneth Duran.

On April 21, 2003, the Office of Ratepayer Advocates (ORA) responded to SCWC's request. ORA opposes any delay of the proceeding. The principal reason for ORA's opposition relates to its current and upcoming workload related to water utility general rate cases. ORA also states that a delay of hearings is not necessary in order for SCWC to engage in settlement discussions with the Cities. According to Rule 51.2 of the Commission's Rules of Practice and Procedure, a settlement may be proposed up to 30 days after the last day of evidentiary hearings. This would give the parties until mid June to settle any issues.

While SCWC indicates that the Cities support the request, this proceeding does involve other parties and other customer service areas. SCWC's requested delay is substantial and adversely affects the schedules of ORA and potentially other parties. Also, even if there were settlement of certain issues between SCWC and the Cities, there would still be a wide range of issues that must be decided in this case. It would be more efficient to continue the schedule as detailed in the February 28, 2003 Scoping Memo and Ruling. SCWC and the Cities are encouraged to discuss and, to the extent possible, resolve issues. The Commission's processes can accommodate settlements or stipulations in a reasonable timeframe. On May 12, 2003, the first day of evidentiary hearings,

SCWC and the Cities should report on the status of its discussions. At that time, it can be determined if any further accommodations are necessary.

IT IS RULED that:

1. Southern California Water Company's (SCWC) request for a sixty-day continuance of the procedural schedule is denied.
2. SCWC and the cities of Claremont and San Dimas shall report on the status of discussions and potential resolution of issues at evidentiary hearings on May 12, 2003.
3. In order to keep apprised of developments in the proceeding on a timely basis, parties that have not provided e-mail addresses for the service list are encouraged to do so.

Dated April 29, 2003, at San Francisco, California.

/s/ DAVID K. FUKUTOME

David K. Fukutome
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and electronic mail, to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Denying Southern California Water Company's Request for a Sixty-day Continuance of the Procedural Schedule on all parties of record in this proceeding or their attorneys of record.

Dated April 29, 2003, at San Francisco, California.

/s/ CLAIRE JOHNSON

Claire Johnson

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074,

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TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.